

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:

BRIAN ARMOND BURNSIDE

: Civil No. 1:24-CV-01960  
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: Judge Jennifer P. Wilson

**ORDER**

**AND NOW**, on this 15th day of January, 2025, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED THAT:**

1. Defendant's affidavits of indigency are construed as motions to proceed *in forma pauperis*, Docs. 2, 6, and are **GRANTED**.
2. Defendant shall pay the full filing fee of \$350.00, based on the financial information provided in the notices of indigency. The full filing fee shall be paid regardless of the outcome of the litigation.
3. Pursuant to 28 U.S.C. § 1915(b)(1) and (2), the Superintendent/Warden, or other appropriate official at Defendant's place of confinement is directed to deduct an initial partial filing fee of 20% of the greater of:
  - (A) the average monthly deposits in the inmate's prison account for the past six months, or
  - (B) the average monthly balance in the inmate's prison account for the past six months.

The initial partial filing fee shall be forwarded to the Clerk of the United States District Court for the Middle District of Pennsylvania, P.O. Box 1148, Scranton, Pennsylvania,

18501-1148, to be credited to the above-captioned docket number. In each succeeding month, when the amount in the Defendant's inmate prison account exceeds \$10.00, the Superintendent / Warden, or other proper official, shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Defendant's prison account until the \$350.00 fee is paid. Each payment shall reference the above-captioned docket number.

4. The Clerk of Court shall send a copy of this Order to the Superintendent/Warden of the institution wherein Defendant is presently confined.
5. The notice of removal, Doc. 1, is deemed filed.
6. Defendant's criminal action is **REMANDED** back to the York County Court of Common Pleas.
7. The Clerk of Court is directed to forward a copy of this order and accompanying memorandum to the Clerk of Court of the Court of Common Pleas of York County to be associated with Case No. CP-67-CR-0004753-2024.
8. The Clerk of Court is directed to **CLOSE** the case.

s/Jennifer P. Wilson  
JENNIFER P. WILSON  
United States District Judge  
Middle District of Pennsylvania